## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

ALBERT HUDSON,	)	
Petitioner,	)	
vs.	) Case No. 4:06CV00868	AGF
DAVID DORMIRE,	)	
Respondent.	) )	

## MEMORANDUM AND ORDER

IT IS HEREBY ORDERED that Petitioner's motion (Doc. #30) to appeal to a district court judge is **DENIED as moot**, as the order sought to be appealed was vacated by Order dated February 2, 2007 (Doc. #28). As such, the status of the case is as though the Court's Order and Judgment dated January 3, 2007 (Doc. Nos. 23 & 24) and Order dated January 11, 2007 (Doc. #26), dismissing the petition as time-barred, were not entered. Petitioner is specifically directed to see this Court's Order dated February 2, 2007 (Doc. #28) vacating the prior Order and Judgment.

**IT IS FURTHER ORDERED** that Petitioner's motion (Doc. #31) for leave to proceed in forma pauperis is **DENIED as moot**, as in forma pauperis status has already been granted and no further authorization is needed.

AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 12th day of February, 2007.